

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELIZABETH ROSE WENZLER,

Plaintiff,

v.

CIVIL SHERIFF'S BUREAU, et. al.,

Defendants.

No. 2:24-cv-02561-DAD-CKD PS

FINDINGS AND RECOMMENDATIONS

Plaintiff proceeds pro se in this action attempting to state a claim for an alleged civil rights violation under 42 U.S.C. § 1983. (ECF No. 1.) This matter was referred to the undersigned by Local Rule 302(c)(3) pursuant to 28 U.S.C. § 636(b).

On March 11, 2025, the court issued an order screening the complaint pursuant to 28 U.S.C. § 1915(e) and dismissing the complaint with leave to amend. (ECF No. 6.) Plaintiff was granted thirty days to file an amended complaint or to file a notice of voluntary dismissal of the action. Plaintiff was warned that failure to respond would result in a recommendation that this action be dismissed. The time granted for plaintiff to respond has expired and plaintiff has neither filed an amended complaint nor filed a motion for voluntary dismissal.¹


¹ Plaintiff has filed a document entitled "Notice re Complaint and Police Report," but it does not appear to be an amended complaint, nor does it address the deficiencies identified in the screening order. (ECF No. 7.)

Based on the foregoing, IT IS RECOMMENDED:

1. This action be dismissed for failure to state a claim and failure to prosecute. See Fed. R. Civ. P. 41(b); and
2. The Clerk of Court be directed to close this case.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: April 17, 2025


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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